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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,312	12/23/2003	David W. Baumert	MFCP.108793	5575

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EXAMINER	
TANG, KAREN C	

ART UNIT	PAPER NUMBER
2451	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/743,312	BAUMERT ET AL.	
	Examiner	Art Unit	
	KAREN C. TANG	2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 July 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10,11,13,15-19,22,25,29 and 31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10,11,13,15-19, 22,25,29, and 31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

- This action is responsive to the amendment and remarks file on 7/15/2010.

- Claims 1-8, 10-11, 13, 15-19, 22, 25, 29, and 31 are presented for further examination.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-8, 10-11, 13, 15-19, 22, 25, 29, and 31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8, 10, 11, 13-19, 22, 25, 29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aholainen et al., hereinafter Aholainen (US 7102640) in view of Verberkt et al hereinafter Dinwiddie et al hereinafter Dinwiddie (US 2003/0014766) in further view of Verberkt (US 2006/0074810).

1. Referring to claim 1, Aholainen discloses a computer system for facilitating interaction between a first participating device and the first participating device having a computer processor and storage immediate environment (refer to Col 3, Lines 44), the system comprising:

a detection module on the first participating device having a computer processor, storage and a first user interface for automatically detecting proximity of a second participating device having a second user interface within the first participating device's immediate environment

(refer to Col 3, Lines 55-62), and utilizing such proximity detection to generate a dynamically updated list of detected nearby devices within the first participating device's immediate environment, wherein proximity of the second participating device (refer to Col 10, Lines 55-67) within the first participating device's immediate environment is close in physical space (refer to Col 11, Lines 40-55), participating devices comprising each device that is able to communicate with another device (piconet devices are able to communicate/exchange information with each other, refer to Col 1, Lines 55- Col 2, Lines 20), and wherein the list of detected nearby devices includes a record of all participating devices detected by the detection module to be close in physical space and their respective physical location within the proximity of the first participating device (refer to Col 10, Lines 48-67); and

a user-configurable authorization module on the first participating device for authorizing the first participating device to adjust a first device user interface associated therewith in a predetermined manner in response to the detection of the second participating device, wherein the user-configuration authorization module comprises an arbitration module for resolving disputes between devices having an identical authorization status (refer to Col 10, Lines 58 – Col 11, Lines 1-17 and Col 12, Lines 40-55)

Although Aholainen disclosed the invention substantially as claimed, Aholainen did not explicitly disclosing "display contents of a second device user interface"

Dinwiddie, in analogous art, disclosing "display contents of a second device user interface (refer to par 0066) in response to the detection of the proximity of the second participating device within the first participating device's immediate environment (refer to par 0067 and par 0061)"

It would have been obvious for one of ordinary skill in the art to combine the teaching of Aholainen with Dinwiddie because Dinwiddie's teaching of "display contents of a second device user interface" would enable Aholainen's system to not only utilize the resources provided by the devices within proximity but also be able to take control and utilize their processing power of the remote devices within proximity by remote logging to the system (supported by Verberkt, par 0042).

2. Referring to claim 2, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 1, Aholainen further discloses wherein the user-configurable authorization module identifies one of the first participating device and the second participating device as a controlling device and the other as controlled device (refer to Col 3, Lines 40-67).

3. Referring to claim 3, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 2, Aholainen further discloses wherein the controlling device comprises shared resources for sharing with the controlled device (refer to Col 12, Lines 14-56).

4. Referring to claim 4, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 1, Aholainen further discloses wherein the detection module detects one of an active participant and a passive participant (refer to Col 5, Lines 20-45).

5. Referring to claim 5, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 4, Aholainen further discloses wherein the detection module detects a passive participant and the device user interface adjusted is a detecting device user interface (refer to Col 11, Lines 35-40).

6. Referring to claim 6, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 4, Aholainen further discloses wherein the detection module detects an active participant and the user-configurable authorization module authorizes adjustment of the device user interface of a detected active participant (refer to Col 11, Lines 15-40).

7. Referring to claim 7, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 1, Aholainen further discloses wherein the user-configurable authorization module includes an authorization status to control the second participating device (refer to Col 12, Lines 16, Col 13, Lines 19-40)

8. Referring to claim 8, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 1, Aholainen further discloses wherein the user-configurable authorization module includes an authorization status to be controlled by another device (refer to Col 11, Lines 15-40).

9. Referring to claim 10, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 2, Aholainen further discloses further comprising a command and control translation module for receiving instructions from a user regarding actions to be taken by the controlling device (refer to Col 12, Lines 1-16, Col 3, Lines 14-63 and Col 12, Lines 1-16).

10. Referring to claim 11, Aholainen, Dinwiddie and Verberkt disclosed the system of claim 10, Aholainen further discloses further comprising a UI element manager for taking directions from the command and control translation module (refer to Col 12, Lines 1-16).

11. Referring to claim 13, Aholainen discloses a method being performed by a processor and a memory for facilitating interaction between a device and a device immediate environment, the method comprising:

detecting, via the first computing process, a participant within the device immediate environment (refer to Col 3, Lines 55-62 and Col 10, Lines 58-67);

maintaining, via a second computing process, a dynamically updated list of detected nearby devices within the device immediate environment for each devices, wherein the list of detected nearby devices maintains a record of all devices detected to be close in physical space within the proximity of the first participating device (refer to Col 10, Lines 58-67) and participating devices comprising each device that is able to communicate with another device (piconet devices are able to communicate/exchange information with each other, refer to Col 1, Lines 55- Col 2, Lines 20), and

adjusting, via a third computing process, a first device user interface based on user-configured rules set forth in a device authorization module in response to the detection of the participant, wherein the device authorization module provides an authorization status as one of controlled or controlling and resolves disputes between devices having an identical authorization status (refer to Col 10, Lines 58- Col 11, Lines 1-17),

and wherein each of the first second, and third computing processes is performed by the device (refer to Col 10- Col 11, Lines 1-17 and Col 8, Lines 10-25).

Although Aholainen disclosed the invention substantially as claimed, Aholainen did not explicitly disclosing "display contents of a second device user interface"

Dinwiddie, in analogous art, disclosing "display contents of a second device user interface (refer to par 0066) in response to the detection of the proximity of the second participating device within the first participating device's immediate environment (refer to par 0067 and par 0061)"

It would have been obvious for one of ordinary skill in the art to combine the teaching of Aholainen with Dinwiddie because Dinwiddie's teaching of "display contents of a second device user interface" would enable Aholainen's system to not only utilize the resources provided by the devices within proximity but also be able to take control and utilize their processing power of the remote devices within proximity by remote logging to the system (supported by Verberkt, par 0042).

12. Referring to claim 14, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 13, Aholainen further discloses further comprising identifying the device as one of a controlling device or a controlled device using the authorization module device (refer to Col 3, Lines 44-67).

13. Referring to claim 15, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 14, Aholainen further discloses further comprising sharing resources from the controlling device with the controlled device (refer to Col 12, Lines 14-56).

14. Referring to claim 16, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 13, Aholainen further discloses further comprising detecting one of an active participant and a passive participant (refer to Col 5, Lines 20-45).

15. Referring to claim 17, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 13, Aholainen further discloses further comprising detecting a passive participant and authorizing a detecting device to adjust the device user interface of the detecting device (refer to Col 11, Lines 35-40).

16. Referring to claim 18, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 17, Aholainen further discloses wherein the passive participant has an RFID tag (Bluetooth, refer to Col 1, Lines 10-40) and the detecting device launches an application in response to the detection of the RFID tag (refer to Col 2, Lines 50-65).

17. Referring to claim 19, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 17, Aholainen further discloses detecting an active participant, and authorizing adjustment of the active participant user interface (refer to Col 11, Lines 15-40).

18. Referring to claim 22, Aholainen, Dinwiddie and Verberkt discloses the method of claim 14, Aholainen further discloses receiving instructions from a user referring to actions to be taken by the controlling device (refer to Col 12, Lines 1-16, Col 3, Lines 44-63).

19. Referring to claim 25, Aholainen discloses a system for sharing resources among multiple participating devices, wherein each of the multiple participating devices has a computer processor, storage, and a device specific set of application resources, the system comprising:

a detection module on a first participating device having a computer processor and a storage for detecting proximity of the participant to a second participant device, wherein proximity of the first participating device to the second participant device is close in physical space (refer to Col 3, Lines 55-62 and Col 10, Lines 58-67) and participating devices comprising each device that is able to communicate with another device (piconet devices are able to communicate/exchange information with each other, refer to Col 1, Lines 55- Col 2, Lines 20); and

a dynamically updated nearby devices list of detected devices within the first participating device's immediate environment for maintaining a record of all participating devices detected to be close in physical space and their physical location within the proximity of the first participating device (refer to Col 11, Lines 44-55 and Col 10, Lines 58-67); and

a configurable resource regulation mechanism for making the first participating device acquire specific application resources from the second participating device (refer to Col 10, Lines 58-Col 11, Lines 1-17 and Col 13, Lines 1-11), wherein the configurable resource regulation mechanism comprises a user-configurable authorization module for providing each participating with an authorization status as one of a controlled device and a controlling device (refer to Col 3, Lines 44-63) and an arbitration mechanism for resolving disputes between devices having an identical authorization status (refer to Col 12, Lines 44-55).

Although Aholainen disclosed the invention substantially as claimed, Aholainen did not explicitly disclosing "display contents of a second device user interface"

Dinwiddie, in analogous art, disclosing "display contents of a second device user interface (refer to par 0066) in response to the detection of the proximity of the second participating device within the first participating device's immediate environment (refer to par 0067 and par 0061)"

It would have been obvious for one of ordinary skill in the art to combine the teaching of Aholainen with Dinwiddie because Dinwiddie's teaching of "display contents of a second device user interface" would enable Aholainen's system to not only utilize the resources provided by the devices within proximity but also be able to take control and utilize their processing power of the remote devices within proximity by remote logging to the system (supported by Verberkt, par 0042).

20. Referring to claim 29, Aholainen discloses a method being performed by a processor and a memory for facilitating resource sharing between multiple devices, the method comprising:

allowing, via a first computing process, a user to configure regulation of shared resources between multiple participating devices, wherein each device is capable of communicating directly with all other devices (refer to Col 6, Lines 3-40 and Col 5, Lines 20-45); and

maintaining, via a second computing process, a list of detected participating devices based on proximity within an immediate environment to a first participating device, wherein proximity within an immediate environment is detected to be close in physical space, participating devices comprising each device that is able to communicate with another device

(piconet devices are able to communicate/exchange information with each other, refer to Col 1, Lines 55- Col 2, Lines 20),

and wherein the list of detected participating devices maintains a record of devices detected to be close in physical space and their physical location within the proximity of the first participating device (refer to Col 3, Lines 55-62, Col 10, Lines 58-67 and Col 11, Lines 40-55); and

enabling, via a third computing process regulation of device resources based on proximity of a first participating device to a second participating device (refer to Col 3, Lines 35-45), wherein regulation includes acquiring device specific application resources of the first participating device by the second participating device based on an authorization status identifying each device as one of a controlling device and a controlled device using an authorization module (refer to Col 6, Lines 15-40 and refer to Col 12, Lines 14-57) and resolving disputes between devices having an identical authorization status (refer to Col 12, Lines 40-55) and wherein each of the first, second, third computing processes is performed by one or more of the multiple devices (refer to Col 10, Lines 58-Col 11, Lines 17 and Col 8, Lines 10-25).

Although Aholainen disclosed the invention substantially as claimed, Aholainen did not explicitly disclosing "display contents of a second device user interface"

Dinwiddie, in analogous art, disclosing “display contents of a second device user interface (refer to par 0066) in response to the detection of the proximity of the second participating device within the first participating device's immediate environment (refer to par 0067 and par 0061)"

It would have been obvious for one of ordinary skill in the art to combine the teaching of Aholainen with Dinwiddie because Dinwiddie's teaching of "display contents of a second device user interface" would enable Aholainen's system to not only utilize the resources provided by the devices within proximity but also be able to take control and utilize their processing power of the remote devices within proximity by remote logging to the system (supported by Verberkt, par 0042).

21. Referring to claim 31, Aholainen, Dinwiddie and Verberkt disclosed the method of claim 30, Aholainen further discloses sharing resources from the controlling device with the controlled device (refer to Col 12, Lines 41-57 and Col 13, Lines 1-11)

Conclusion

Examiner's Notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-Thr 8 - 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Karen C Tang/
Primary Examiner, Art Unit 2451